

## UNITED STATES DISTRICT COURT

for the  
Western District of Washington

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)  
4 Facebook Accounts as more fully described in  
Attachment A

Case No. MJ20-201

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Four Facebook Accounts as more fully described in Attachment A, incorporated herein by reference.

located in the Western District of Washington, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

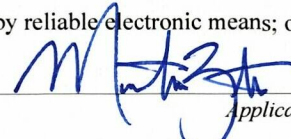
Code Section	Offense Description
21 U.S.C. § 2841, 846	Distribution of controlled substances, conspiracy
21 U.S.C. § 960 and 963	Importation of controlled substances, conspiracy

The application is based on these facts:

- ☒ See Affidavit of Special Agent Matthew Zito continued on the attached sheet.

☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means; or: ☐ telephonically recorded.



Applicant's signature

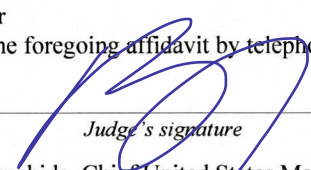
Matthew Zito, Special Agent FBI

Printed name and title

- ☒ The foregoing affidavit was sworn to before me and signed in my presence, or  
☐ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 04/22/2020

City and state: Seattle, Washington



Judge's signature

Brian A. Tsuchida, Chief United States Magistrate Judge

Printed name and title

STATE OF WASHINGTON           )  
  )           SS  
COUNTY OF KING             )

## AFFILIANT BACKGROUND

2. Since completing the FBI Academy in November 2012, I have participated in numerous narcotics trafficking and money laundering investigations. I have participated in investigations involving the identification of co-conspirators through analysis of telephone records and bills, financial records, photographs, and other documents. I have directed and assisted in the handling of confidential sources to gather intelligence through various methods, including through consensual recordings made during meetings with targets. I have executed search warrants for controlled substances in residences, storage units, and vehicles. I have conducted investigations in which I have used Global Positioning System ("GPS") information to locate and track persons who are

1 the subjects of criminal investigations, and I have used physical surveillance in  
2 conjunction with GPS tracking to monitor the activities of persons under investigation.

3 3. I have drafted search warrants and sought other legal process to obtain  
4 information from providers of a variety of electronic services, including cellular  
5 telephone service providers and digital communications providers such as messaging and  
6 email service providers. I have written affidavits in support of court-authorized federal  
7 warrants and orders for GPS tracking of telephones, pen register/trap and trace orders,  
8 and search warrants. I have led investigations involving the use of Title III wiretaps in  
9 order to intercept the communications of target subjects and have authored Title III  
10 wiretap affidavits to further those investigations. I have testified in grand jury  
11 proceedings, written investigative reports, and conducted and participated in numerous  
12 interviews of drug traffickers and money launderers of various roles within drug  
13 organizations, which has provided me with a greater understanding of the methods by  
14 which drug trafficking organizations operate.

15 4. I am an investigative law enforcement officer of the United States within  
16 the meaning of 18 U.S.C. § 2510(7). As such, I am empowered to conduct investigations  
17 of, and to make arrests for, violations of the Controlled Substance Act, Title 21, United  
18 States Code, Section 801 *et seq.*, and related offenses.

19 5. The facts set forth in this Affidavit are based on my own personal  
20 knowledge; knowledge obtained from other individuals during my participation in this  
21 investigation, including other law enforcement personnel; review of documents and  
22 records related to this investigation; communications with others who have personal  
23 knowledge of the events and circumstances described herein; and information gained  
24 through my training and experience. Because this Affidavit is submitted for the limited  
25 purpose of establishing probable cause in support of the application for a search warrant,  
26 it does not set forth each and every fact that I or others have learned during the course of  
27 this investigation.

1           6.     Based upon my experience and training with the FBI as well as  
2 conversations I have had with other agents and law enforcement officers who specialize  
3 in narcotics investigations, including investigations into the laundering of narcotics  
4 trafficking proceeds, I am familiar with the methods, tactics, and techniques utilized by  
5 narcotics trafficking/money laundering organizations. I have spoken with federal agents,  
6 as well as other law enforcement officers, about their experiences and the results of their  
7 investigations and interviews. Through my conversations with these agents and other law  
8 enforcement officers, I am knowledgeable in the methods and modes of narcotics  
9 trafficking/money laundering operations.

10           7.     Based on my training and experience, I know narcotics traffickers often  
11 require the use of one or more communication facilities to negotiate times, places,  
12 schemes, and manners for importing, possessing, concealing, manufacturing, and  
13 distributing controlled substances and for arranging the disposition of proceeds from the  
14 sale of controlled substances. I know international and domestic narcotics trafficking  
15 organizations often depend on maintaining timely long-distance and local connections  
16 between original sources of supply and those down the organizational chain. Narcotics  
17 traffickers utilize a variety of communication methods, including telephone  
18 communications, encrypted and unencrypted messaging applications, and email.

19           8.     Among other techniques, I know that drug traffickers sometimes use  
20 Facebook Messenger to conduct such communications. I also know narcotics traffickers  
21 often use fraudulent information to subscribe to communication facilities, including  
22 Facebook services. I also know narcotics traffickers will use multiple communication  
23 accounts at one time, and also frequently change communication facilities, all in an  
24 attempt to thwart law enforcement efforts to intercept their communications.

25                   **INTRODUCTION AND PURPOSE OF AFFIDAVIT**

26           9.     I make this affidavit in support of an application for a search warrant for  
27 information stored at premises controlled by Facebook, Inc., a social networking  
28 company headquartered at 1601 Willow Road, Menlo Park, California 94025 (hereafter,

Facebook or the "PROVIDER")<sup>1</sup>, associated with the accounts identified as the following:

a. Account number 100012398678974 ("TARGET FACEBOOK ACCOUNT #1"), believed to be used by MARELVIS JACQUELIN AHUMADA GARCES ("AHUMADA GARCES");

b. Account number 100014362298473 ("TARGET FACEBOOK ACCOUNT #2"), believed to be used by AHUMADA GARCES;

c. Account number 100007507727611 ("TARGET FACEBOOK ACCOUNT #8"), believed to be used by REFUA KABUTA ("KABUTA"); and

d. Account number 100006226988117 ("TARGET FACEBOOK ACCOUNT #9"), believed to be used by NABURA TEARINIMAN ("TEARINIMAN") (collectively referred to as the "SUBJECT ACCOUNTS").

All more particularly described in Attachment A to this application.

10. The SUBJECT ACCOUNTS are identified in the following paragraphs and in Attachment A to the search warrant application. This affidavit is made in support of an application for a warrant under Fed. R. Crim. P. 41, 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), 2703(c)(1)(A) and 2703(d)<sup>2</sup> to require the PROVIDER to disclose to the government

<sup>1</sup> Because this Court has jurisdiction over the offense(s) being investigated, it may issue the warrant to compel the PROVIDER pursuant to 18 U.S.C. §§ 2703(a), (b)(1)(A), (c)(1)(A). See 18 U.S.C. §§ 2703(a) ("A governmental entity may require the disclosure by a provider . . . pursuant to a warrant issued using the procedures described in the Federal Rules of Criminal Procedure . . . by a court of competent jurisdiction") and 2711 ("the term 'court of competent jurisdiction' includes -- (A) any district court of the United States (including a magistrate judge of such a court) or any United States court of appeals that -- (i) has jurisdiction over the offense being investigated; (ii) is in or for a district in which the provider of a wire or electronic communication service is located or in which the wire or electronic communications, records, or other information are stored; or (iii) is acting on a request for foreign assistance pursuant to section 3512 of this title").

<sup>2</sup> The government is seeking non-content records pursuant to 18 U.S.C. § 2703(d). To obtain the basic subscriber information, which does not contain content, the government needs only a subpoena. See 18 U.S.C. § 2703(c)(1), (c)(2). To obtain additional records and other information--but not content--pertaining to subscribers of an electronic communications service or remote computing service, the government must comply with the dictates of section 2703(c)(1)(B), which requires the government to supply specific and articulable facts showing that there are reasonable grounds to believe that the records or other information sought are relevant and material to an ongoing criminal investigation in order to obtain an order pursuant to 18 U.S.C. § 2703(d). The requested warrant calls for both records containing content (see Attachment B paragraph II.10.a.) as well as subscriber records and other records and information that do not contain content (see Attachment B paragraph II.10.b.).



1 copies of the information (including the content of communications) described in Section  
2 I of Attachment B. Upon receipt of the information described in Section I of Attachment  
3 B, law enforcement agents and/or individuals assisting law enforcement and acting at  
4 their direction will review that information to locate the items described in Section II of  
5 Attachment B. Attachments A and B are incorporated herein by reference.

6 11. As described more fully below, I respectfully submit there is probable  
7 cause to believe that the information associated with the SUBJECT ACCOUNTS  
8 constitutes evidence, contraband, fruits, or instrumentalities of criminal violations of Title  
9 21, United States Code, Sections 841(a)(1), 846 (distribution of controlled substances and  
10 conspiracy), 960 and 963 (importation of controlled substances and conspiracy)  
11 committed by AHUMADA GARCES and others.

12 12. The facts set forth in this affidavit are based upon my personal  
13 observations, my training and experience, and information obtained from other agents  
14 and witnesses. This affidavit is intended to show merely that there is sufficient probable  
15 cause for the requested warrant and does not purport to set forth all of my knowledge of  
16 or investigation into this matter. Unless specifically indicated otherwise, all  
17 conversations and statements described in this affidavit are related in substance and in  
18 part only.

19 **BACKGROUND KNOWLEDGE RE: FACEBOOK**

20 13. I am aware from my experience and training, and consultation with other  
21 investigators, of the following information about Facebook:

22 14. Facebook owns and operates a free access social networking website of the  
23 same name that can be accessed at <http://www.facebook.com>. Facebook allows its users  
24 to establish accounts with Facebook, and users can then use their accounts to share  
25 written news, photographs, videos, and other information with other Facebook users, and  
26 sometimes with the general public.  
27  
28

1           15. Facebook asks users to provide basic contact and personal identifying  
2 information to Facebook, either during the registration process or thereafter. This  
3 information may include the user's full name, birth date, gender, contact email addresses,  
4 Facebook passwords, Facebook security questions and answers (for password retrieval),  
5 physical address (including city, state, and zip code), telephone numbers, screen names,  
6 websites, and other personal identifiers.

7  
8           16. Facebook's terms of use generally requires users to provide true names and  
9 other identifiers, and generally prohibits individuals from creating multiple personal  
10 accounts. However, Facebook does not appear to meaningfully enforce these  
11 requirements. I know from my training and experience that many illicit Facebook users  
12 (and even some legitimate users) will create, maintain and use multiple accounts under  
13 multiple names.

14           17. Facebook assigns a user identification number to each account.

15           18. I know from speaking with other law enforcement that "cookies" are small  
16 files placed by a server (such as those used by Facebook) on a device to track the user  
17 and potentially verify a user's authentication status across multiple sites or webpages.  
18 This cookie could be unique to a particular account (e.g., the Facebook account) or to a  
19 given device (e.g., the particular phone used to access the Facebook account). The next  
20 time a user visits a particular site or server, the server will ask for certain cookies to see if  
21 the server has interacted with that user before. Cookies can also be used to determine  
22 "machine cookie overlap," or multiple accounts that have been accessed by the same  
23 individual machine (e.g., two Facebook accounts that have been accessed on the same  
24 phone). The machine cookie overlap thus allows Facebook to track accounts that are  
25 "linked" to each other because the same user account (username on a computer) on the  
26 same device accessed multiple Facebook accounts. This can identify either multiple  
27 Facebook accounts used by the same person or used by different people sharing the same

1 user account and device. In either case, the machine cookie overlap means that the users  
2 of the linked accounts are the same person or two people in close proximity to each other  
3 (by virtue of them using the same device).

4 19. Facebook users may join one or more groups or networks to connect and  
5 interact with other users who are members of the same group or network. A Facebook  
6 user can also connect directly with individual Facebook users by sending each user a  
7 “Friend Request.” If the recipient of a “Friend Request” accepts the request, then the two  
8 users will become “Friends” for purposes of Facebook and can exchange  
9 communications or view information about each other. Each Facebook user’s account  
10 includes a list of that user’s “Friends” and a “News Feed,” which highlights information  
11 about the user’s “Friends,” such as profile changes, upcoming events, and birthdays.

12 20. Facebook users can select different levels of privacy for the  
13 communications and information associated with their Facebook accounts. By adjusting  
14 these privacy settings, a Facebook user can make information available only to himself or  
15 herself, to particular Facebook users, or to anyone with access to the Internet, including  
16 people who are not Facebook users. A Facebook user can also create “lists” of Facebook  
17 friends to facilitate the application of these privacy settings. Facebook accounts also  
18 include other account settings that users can adjust to control, for example, the types of  
19 notifications they receive from Facebook.  
20

21 21. Facebook users can create profiles that include photographs, lists of  
22 personal interests, and other information. Facebook users can also post “status” updates  
23 about their whereabouts and actions, as well as links to videos, photographs, articles, and  
24 other items available elsewhere on the Internet. Facebook users can also post information  
25 about upcoming “events,” such as social occasions, by listing the event’s time, location,  
26 host, and guest list. In addition, Facebook users can “check in” to particular locations or  
27 add their geographic locations to their Facebook posts, thereby revealing their geographic  
28



1 locations at particular dates and times. A particular user's profile page also includes a  
2 "Wall," which is a space where the user and his or her "Friends" can post messages,  
3 attachments, and links that will typically be visible to anyone who can view the user's  
4 profile. Facebook has a Photos application, where users can upload an unlimited number  
5 of albums and photos. For Facebook's purposes, a user's "Photoprint" includes all photos  
6 uploaded by that user that have not been deleted and other items. It also provides users  
7 the ability to "tag" (i.e., label) other Facebook users in a photo or video. When a user is  
8 tagged in a photo or video, he or she receives a notification of the tag and a link to see the  
9 photo or video. For Facebook's purposes, the photos and videos associated with a user's  
10 account will include all photos and videos uploaded by that user that have not been  
11 deleted, as well as all photos and videos uploaded by any user that have that user tagged  
12 in them.

14 22. Facebook users can exchange private messages on Facebook with other  
15 users. These messages, which are similar to email messages, are sent to the recipient's  
16 "Inbox" on Facebook, which also stores copies of messages sent by the recipient, as well  
17 as other information. Facebook users can also post comments on the Facebook profiles of  
18 other users or on their own profiles; such comments are typically associated with a  
19 specific posting or item on the profile. In addition, Facebook has a "Chat" feature that  
20 allows users to send and receive instant messages through Facebook. These chat  
21 communications are stored in the chat history for the account. Facebook also has a Video  
22 Calling feature, and although Facebook does not record the calls themselves, it does keep  
23 records of the date of each call.

25 23. If a Facebook user does not want to interact with another user on Facebook,  
26 the first user can "block" the second user from seeing his or her account.

27 24. Facebook has a "like" feature that allows users to give positive feedback or  
28 connect to particular pages. Facebook users can "like" Facebook posts or updates, as well

1 as webpages or content on third party (i.e., non Facebook) websites. Facebook users can  
2 also become “fans” of particular Facebook pages.

3 25. Facebook has a search function that enables its users to search Facebook for  
4 keywords, usernames, or pages, among other things.

5 26. Each Facebook account has an activity log, which is a list of the user’s  
6 posts and other Facebook activities from the inception of the account to the present. The  
7 activity log includes stories and photos that the user has been tagged in, as well as  
8 connections made through the account, such as “liking” a Facebook page or adding  
9 someone as a friend. The activity log is visible to the user but cannot be viewed by people  
10 who visit the user’s Facebook page.

11 27. Facebook Notes is a blogging feature available to Facebook users, and it  
12 enables users to write and post notes or personal web logs (“blogs”), or to import their  
13 blogs from other services, such as Xanga, LiveJournal, and Blogger.

14 28. Facebook also has a Marketplace feature, which allows users to post free  
15 classified ads. Users can post items for sale, housing, jobs, and other items on the  
16 Marketplace.

17 29. In addition to the applications described above, Facebook also provides its  
18 users with access to thousands of other applications on the Facebook platform. When a  
19 Facebook user accesses or uses one of these applications, an update about that the user’s  
20 access or use of that application may appear on the user’s profile page.

21 30. Some Facebook pages are affiliated with groups of users, rather than one  
22 individual user. Membership in the group is monitored and regulated by the  
23 administrator or head of the group, who can invite new members and reject or accept  
24 requests by users to enter. Facebook can identify all users who are currently registered to  
25 a particular group and can identify the administrator and/or creator of the group.

26 Facebook uses the term “Group Contact Info” to describe the contact information for the

1 group's creator and/or administrator, as well as a PDF of the current status of the group  
2 profile page.

3 31. Facebook uses the term "Neoprint" to describe an expanded view of a given  
4 user profile. The "Neoprint" for a given user can include the following information from  
5 the user's profile: profile contact information; News Feed information; status updates;  
6 links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists,  
7 including the friends' Facebook user identification numbers; groups and networks of  
8 which the user is a member, including the groups' Facebook group identification  
9 numbers; future and past event postings; rejected "Friend" requests; comments; gifts;  
10 pokes; tags; and information about the user's access and use of Facebook applications.

11 32. Facebook also retains Internet Protocol ("IP") logs for a given user ID or IP  
12 address. These logs may contain information about the actions taken by the user ID or IP  
13 address on Facebook, including information about the type of action, the date and time of  
14 the action, and the user ID and IP address associated with the action. For example, if a  
15 user views a Facebook profile, that user's IP log would reflect the fact that the user  
16 viewed the profile, and would show when and from what IP address the user did so.

17 33. Social networking providers like Facebook typically retain additional  
18 information about their users' accounts, such as information about the length of service  
19 (including start date), the types of service utilized, and the means and source of any  
20 payments associated with the service (including any credit card or bank account number).  
21 In some cases, Facebook users may communicate directly with Facebook about issues  
22 relating to their accounts, such as technical problems, billing inquiries, or complaints  
23 from other users. Social networking providers like Facebook typically retain records  
24 about such communications, including records of contacts between the user and the  
25 provider's support services, as well as records of any actions taken by the provider or  
26 user as a result of the communications.  
27  
28

1           34. Therefore, the computers of Facebook are likely to contain all the material  
 2 described above, including stored electronic communications and information concerning  
 3 subscribers and their use of Facebook, such as account access information, transaction  
 4 information, and other account information. I believe such information is likely to  
 5 constitute evidence of the drug trafficking crimes currently under investigation.  
 6

7                           **SUMMARY OF PROBABLE CAUSE**

8           35. In approximately September 2016, the U.S. Coast Guard Investigative  
 9 Service ("CGIS") began conducting an investigation into the narcotics smuggling  
 10 activities of MARELVIS JACQUELIN AHUMADA GARCES ("AHUMADA  
 11 GARCES"). In approximately January 2019, the Federal Bureau of Investigation ("FBI")  
 12 joined the investigation and began working cooperatively with CGIS and other agencies.  
 13 The investigation to date has determined that AHUMADA GARCES uses Facebook  
 14 accounts, including the SUBJECT ACCOUNTS, to recruit and coordinate with  
 15 professional mariners to smuggle controlled substances from South and Central America  
 16 to North America and Europe via commercial cargo container vessels.  
 17

18                           **Motor Vessel ("M/V") CAP JACKSON Seizure and Initiation of Investigation**

19           36. On September 3, 2016, the Royal Canadian Mounted Police ("RCMP")  
 20 seized approximately 196 kilograms of cocaine that had been smuggled to British  
 21 Columbia on board the container ship Motor Vessel ("M/V") CAP JACKSON. The  
 22 seized cocaine had been loaded into duffel bags and Everlast brand punching bags,  
 23 attached to make-shift buoys affixed with a strobe light, and dropped into the water when  
 24 the M/V CAP JACKSON left Fraser Docks, Surrey, British Columbia, Canada. A pilot  
 25 boat noticed the package, retrieved it, and turned it over to Canadian authorities. Prior to  
 26 the seizure, the M/V CAP JACKSON's previous port of call was Seattle, Washington.  
 27 The vessel's next port of call was Oakland, California.  
 28

1           37. After the seizure in Canada, on September 7, 2016, U.S. law enforcement  
2 officials boarded the M/V CAP JACKSON in Oakland, California. During that operation,  
3 investigators conducted interviews of crewmembers aboard the M/V CAP JACKSON at  
4 the time of the seizure. A crewmember witness who was interviewed and who admitted  
5 bringing a package onboard the M/V CAP JACKSON in Colombia informed  
6 investigators that REFUA KABUTA aka REBUA KABUTA ("KABUTA") and at least  
7 one other mariner had attempted to lower the package later determined to be the seized  
8 cocaine to an awaiting vessel when the M/V CAP JACKSON departed the Fraser River  
9 in British Columbia, Canada.

11           38. KABUTA was identified by investigators as a professional mariner from  
12 the Republic of Kiribati who was a crewmember of the M/V CAP JACKSON at the time  
13 of the seizure. KABUTA was interviewed by investigators during the September 7, 2016  
14 operation in Oakland, California. KABUTA produced his cellular phone, which was  
15 searched by investigators. The search of KABUTA's phone led investigators to identify a  
16 Colombian telephone number 57-3013615307 labeled as "Kimmy." I know the prefix  
17 "57" for a phone number is the country code for phone numbers in the nation of  
18 Columbia, a source-country for cocaine.

19           39. Also located in KABUTA's mobile telephone was the British Columbia  
20 telephone number (604) 704-1178. A later analysis of the calling data from KABUTA's  
21 phone showed that KABUTA's phone communicated with 57-3013615307 on September  
22 2, 2016, prior to the attempted at-sea transfer of the cocaine. KABUTA's phone also  
23 communicated with the telephone number (604) 704-1178 on September 2 and 3, 2016.

25           40. On October 8, 2016, investigators assisted U.S. Customs and Border  
26 Protection ("CBP") with the secondary inspection of KABUTA at Los Angeles  
27 International Airport as he traveled to Kiribati through the United States. During the  
28 secondary inspection of KABUTA, CBP officers located in KABUTA's personal



1 belongings a mini composition notebook with "R Kabuta Notebook" handwritten on the  
2 cover. The back cover of the notebook contained a handwritten notation of the British  
3 Columbia mobile telephone number (604) 704-1178.

4 41. With the assistance of RCMP, the telephone number (604) 704-1178 was  
5 identified as being subscribed to by JUAN MARCIAL RODRIGUEZ MONTANO  
6 ("RODRIGUEZ MONTANO"), who investigators determined had traveled to Colombia  
7 from Canada near the time of the seizure. Travel records for RODRIGUEZ MONTANO  
8 revealed that he departed from Vancouver international Airport, Richmond, BC on July  
9 19, 2016, traveled to Colombia, and returned to Canada just prior to the M/V CAP  
10 JACKSON seizure, arriving at Vancouver International Airport on September 1, 2016.  
11 Canadian phone records also showed that, on the night the cocaine was dropped into the  
12 water, the phone was in the vicinity of a marina near the cocaine drop-off site.

13 42. Also located in KABUTA's notebook was the handwritten email address  
14 [BRAYLIN777@hotmail.com](mailto:BRAYLIN777@hotmail.com) with the name "Jackkie" written below it. As detailed  
15 below, this investigation has shown that AHUMADA GARCES has identified her email  
16 address as [BRAYLIN777@hotmail.com](mailto:BRAYLIN777@hotmail.com) on more than one occasion in the past. An  
17 unlabeled Colombian telephone number, 57-3008717105 was in KABUTA's mobile  
18 telephone along with RODRIGUEZ MONTANO's number.

19 43. Also located in KABUTA's notebook were multiple handwritten Western  
20 Union money transfer control numbers ("MTCN") for individuals in names other than his  
21 own. The Western Union receipts were from multiple senders and to multiple receivers in  
22 Kiribati, New Zealand, and Australia. All of the Western Union receipts were from the  
23 country of Panama. According to KABUTA's notebook, two of the MTCN's, 106-360-  
24 6406 and 471-152-2649, were associated to a "Rawata Itinneita" as the money recipient.  
25 Western Union information obtained by investigators showed both MTCN's were  
26  
27  
28

1 initiated on August 29, 2016, by an individual from two separate locations in Panama  
2 City, Panama and were paid to a RATAWA ITINNEITA ("ITINNEITA") in Kiribati.

3 44. Investigators subpoenaed additional transaction information from Western  
4 Union and, according to Western Union, ITINNEITA also received a wire transfer from  
5 AHUMADA GARCES. Other information provided by Western Union revealed that  
6 AHUMADA GARCES conducted two Western Union wire transfers where she indicated  
7 her email address was BRAYLIN777@hotmail.com.  
8

9 **M/V CAP JERVIS SEIZURE**

10 45. On March 17, 2017, investigators learned that the Canada Border Services  
11 Agency ("CBSA") conducted a boarding of the M/V CAP JERVIS while in port in  
12 British Columbia, Canada. The CBSA investigation revealed that two crewmembers,  
13 MAURI BAAKEUA ("BAAKEUA") and NABURA TEARINIMAN  
14 ("TEARINIMAN") went ashore while in Cartagena, Colombia. The CBSA investigation  
15 included an examination of the cellular phones possessed by BAAKEUA and  
16 TEARINIMAN. BAAKEUA's phone contained photographs of wire transfers from  
17 Panama City to two accounts in Kiribati. BAAKEUA offered several explanations for the  
18 wire transfers that were inconsistent before ending his interview. Investigators were able  
19 to retrieve phone numbers from TEARINIMAN's mobile telephone, which included the  
20 Columbian telephone number 57-3013615307 previously found in KABUTA's phone  
21 under the contact name "Kimmy".  
22

23 46. On March 22, 2017, U.S. law enforcement consisting of officers and agents  
24 of CBP, CGIS, and RCMP conducted a boarding of the M/V CAP JERVIS while the  
25 vessel was in port in Oakland, California. During the boarding, investigators conducted  
26 interviews of crewmembers, including TEARINIMAN. During the interview,  
27 TEARINIMAN told investigators that he was a motorman onboard the M/V CAP  
28 JERVIS, had been employed on commercial vessels for fifteen years, and that while he

1 was in Cartagena, Colombia, he had gone to the “Los Angeles disco” with BAAKEAU.  
 2 According to CHS information discussed in further detail below, investigators have  
 3 learned that AHUMADA GARCES uses the Angeles Bar Club, a brothel in Cartagena,  
 4 Colombia, as a venue to meet with and recruit mariners for her narcotics smuggling  
 5 organization.

6  
 7 47. On December 15, 2017, investigators learned that on December 12, 2017,  
 8 the M/V CAP JERVIS was searched in Valencia, Spain after its arrival and that officials  
 9 discovered a container whose container seal serial number did not match the manifest.  
 10 When the container was searched, multiple bags wrapped in rope were discovered  
 11 stacked inside the container. The bags wrapped in rope were found to contain 520  
 12 kilograms of cocaine.

13 **AHUMADA GARCES’ Use of email account Braylin777@hotmail.com**

14 48. On November 24, 2018, AHUMADA GARCES was traveling to Panama  
 15 City, Panama from Barranquilla, Colombia via commercial air flight. Upon entry into  
 16 Panama, AHUMADA GARCES was interviewed by Panamanian authorities. During the  
 17 interview, AHUMADA GARCES provided her email address as  
 18 [BRAYLIN777@hotmail.com](mailto:BRAYLIN777@hotmail.com). She also stated to interviewing authorities that she had  
 19 been a resident of Panama for eleven years, and provided two Panamanian addresses, one  
 20 of which was located in Panama City.

21 **Use of Confidential Informant**

22  
 23 49. In the course of the investigation, investigators developed an informant  
 24 (hereafter, the “Confidential Human Source” or “CHS”).<sup>3</sup> The CHS has made admissions  
 25 against their penal interest, and to the best of my knowledge has provided truthful and  
 26

27  
 28 <sup>3</sup> Add any known baggage for the CHS – criminal history, etc. – and the CHS’s motivation – avoiding charges, money, whatever – for working with law enforcement here.



1 reliable information that has been corroborated by other investigative means, some of  
2 which are outlined in this affidavit.

3         50. The CHS admitted to law enforcement that he/she had been recruited to  
4 participate in smuggling narcotics onto cargo container shipping vessels by AHUMADA  
5 GARCES. The CHS admitted involvement in a smuggling event, orchestrated by  
6 AHUMADA GARCES, involving the smuggling of cocaine from Colombia to Mexico.  
7 The CHS informed investigators that during the Mexico smuggling event, AHUMADA  
8 GARCES contacted the CHS via TARGET FACEBOOK ACCOUNT 1 during and after  
9 the CHS made the transfer at sea of the narcotics intended for Mexico. The CHS said that  
10 AHUMADA GARCES hired someone to send money to the CHS's family as payment  
11 for the smuggling event. The CHS further advised investigators that in November 2017,  
12 the CHS began communicating with AHUMADA GARCES via TARGET FACEBOOK  
13 ACCOUNT 2.  
14

15         51. The CHS informed investigators that they were initially recruited by  
16 BAAKEAU, who was aboard the same vessel as the CHS at the time. The CHS said that  
17 while in Cartagena, Colombia, the CHS and BAAKEAU were taken to a club called the  
18 "Los Angeles" in an unmarked taxi waiting for them at the port. Inside the club,  
19 BAAKEAU introduced the CHS to a cocaine supplier, who asked the CHS to bring  
20 cocaine to Mexico. The supplier gave the CHS a mobile phone for use during the  
21 smuggling event. The CHS admitted to being involved in smuggling 20-30 kilograms of  
22 cocaine in Everlast punching bags from Cartagena, Colombia to Manzanillo, Mexico.  
23 The CHS said the CHS was paid approximately \$6,000 USD, which had been transmitted  
24 to the CHS's spouse via Western Union. The CHS told investigators that as their vessel  
25 departed Cartagena, a small boat pulled alongside their vessel and, with BAAKEAU, the  
26 CHS lowered a rope to the small boat. An unknown individual in the small boat attached  
27 the Everlast Punching bags to the line and they were hauled onto the ship. The CHS said  
28

1 that they hid the cocaine in the steering gear room and, when the ship departed  
 2 Manzanillo, Mexico, they dropped the cocaine off the stern of the vessel. The bags had  
 3 small strobe lights attached. The CHS threw the phone provided by the supplier at the  
 4 "Los Angeles" club over the side of the vessel as directed by the supplier.

5 52. Based on the foregoing, I believe that KABUTA conspired with  
 6 AHUMADA GARCES to smuggle the narcotics seized September 3, 2016 onto and off  
 7 the M/V CAP JACKSON, and that KABUTA is involved in orchestrating payment to  
 8 members of AHUMADA GARCES' organization. Furthermore, based on the  
 9 identification of telephone number 57-3013615307 in TEARINIMAN's phone, his  
 10 admission to visiting the "Los Angeles disco" with BAAKEAU in Cartagena, Colombia,  
 11 and the seizure of narcotics from the vessel he was employed on, I believe  
 12 TEARINIMAN was also involved in narcotics smuggling orchestrated by AHUMADA  
 13 GARCES.

14 **AHUMADA GARCES' Use Of Social Media In Furtherance Of Her Narcotics**  
 15 **Trafficking Activity**

16 53. Investigators have identified several Facebook social media profiles  
 17 believed to be used by AHUMADA GARCES. While reviewing the publicly viewable  
 18 friends lists for the social media profiles, investigators determined that TARGET  
 19 FACEBOOK ACCOUNT 8 appeared on the friends list for both TARGET FACEBOOK  
 20 ACCOUNT 1 and TARGET FACEBOOK ACCOUNT 2. The friends list for both  
 21 TARGET FACEBOOK ACCOUNT 1 and TARGET FACEBOOK ACCOUNT 2  
 22 consists primarily of profiles that appear to belong to Kiribati mariners; for example,  
 23 investigators also determined that the friends list for TARGET FACEBOOK ACCOUNT  
 24 1 included the name TEISI BURATAAKE ("BURATAAKE"). BURATAAKE is a  
 25 professional mariner from Kiribati who, according to open source research, was one of  
 26 nine Kiribati crewmembers aboard the M/V RIO DE JANEIRO arrested by Italian law  
 27  
 28



1 enforcement on October 20, 2016, in connection with the attempt to smuggle 385  
 2 kilograms of cocaine from South America into Italy.

3 **Prior Court Orders**

4 54. On December 20, 2017, investigators sought and obtained a federal search  
 5 warrant for two Facebook accounts associated with AHUMADA GARCES. The warrant  
 6 was signed under MJ17-526 by the Honorable Brian A. Tsuchida, U.S. Magistrate Judge,  
 7 U.S. District Court for the Western District of Washington. The search warrant  
 8 authorized the search of TARGET FACEBOOK ACCOUNT 1 and TARGET  
 9 FACEBOOK ACCOUNT 2. On December 21, 2017, the warrant was served on the  
 10 Facebook via the Facebook's Law Enforcement Portal Website. In response, on  
 11 December 22, 2017, Facebook provided information associated with TARGET  
 12 FACEBOOK ACCOUNT 1 and, on January 8, 2018, provided information associated  
 13 with TARGET FACEBOOK ACCOUNT 2.

14 55. On April 27, 2018, investigators sought and obtained a federal search  
 15 warrant for five additional Facebook accounts associated with AHUMADA GARCES.  
 16 The warrant was signed under MJ18-197 by the Honorable Mary Alice Theiler, U.S.  
 17 Magistrate Judge, U.S. District Court for the Western District of Washington. The search  
 18 warrant authorized the search of TARGET FACEBOOK ACCOUNT 3, TARGET  
 19 FACEBOOK ACCOUNT 4, TARGET FACEBOOK ACCOUNT 5, TARGET  
 20 FACEBOOK ACCOUNT 6, and TARGET FACEBOOK ACCOUNT 7. On April 27,  
 21 2018, the warrant was served on Facebook via the Facebook's law enforcement portal  
 22 website. In response, on May 18, 2018, the Facebook provided information associated  
 23 with TARGET FACEBOOK ACCOUNT 3, TARGET FACEBOOK ACCOUNT 4,  
 24 TARGET FACEBOOK ACCOUNT 5, TARGET FACEBOOK ACCOUNT 6, and  
 25 TARGET FACEBOOK ACCOUNT 7.

1           56. On December 3, 2019, investigators sought and obtained an order pursuant  
 2 to 18 U.S.C. 2703(d) directing Facebook to disclose records and other information  
 3 associated with the SUBJECT ACCOUNTS. The order was signed under MJ19-320 by  
 4 the Honorable Mary Alice Theiler, U.S. Magistrate Judge, U.S. District Court for the  
 5 Western District of Washington. The order was served on Facebook via Facebook's  
 6 online law enforcement portal on December 4, 2019. In response, on December 19, 2019,  
 7 investigators received a production of records from Facebook related to the SUBJECT  
 8 ACCOUNTS. Included in the Facebook's response was information detailing other  
 9 accounts the SUBJECT ACCOUNTS communicated with, including dates and times  
 10 messages were sent or received by the SUBJECT ACCOUNTS, but not including content  
 11 of the messages.  
 12

#### 13                                   Analysis of 2703(d) Returns

14           57. I have conducted a review of the information received in response to Order  
 15 MJ19-320, referenced above, served on the PROVIDER. Regarding the SUBJECT  
 16 ACCOUNTS, the following observations were made during my analysis.

#### 17           Target Facebook Account 1

18           58. **TARGET FACEBOOK ACCOUNT 1** was registered on June 6, 2016,  
 19 with registration name "Maria Garcia". The email "mariana\_kimmy@hotmail.com" is  
 20 listed as the registered email address associated with **TARGET FACEBOOK**  
 21 **ACCOUNT 1**. Information from the PROVIDER indicates that the user has sent "secret  
 22 conversation" messages, messages encrypted by the PROVIDER.  
 23

24           59. The response identifies conversation "threads," conversations between  
 25 **TARGET FACEBOOK ACCOUNT 1** and other accounts, which includes identifying  
 26 information for the account holders involved in the conversation and the date and time of  
 27 messages sent in the conversation, but not the content of the conversation.  
 28

60. For example, **TARGET FACEBOOK ACCOUNT 1** was in communication with **TARGET FACEBOOK ACCOUNT 9**, screen name “Nabura Teariniman,” on October 22, 2019. On that date, the following messages were exchanged<sup>4</sup>:

Author	Account	Sent
Nabura Teariniman	100006226988117 (Target Facebook Account 9)	Sent 2019-10-22 01:58:56
Nabura Teariniman	100006226988117 (Target Facebook Account 9)	Sent 2019-10-22 02:01:21
Maria Garcia	100012398678974 (Target Facebook Account 1)	Sent 2019-10-22 15:56:25
Maria Garcia	100012398678974 (Target Facebook Account 1)	Sent 2019-10-22 15:56:57
Nabura Teariniman	100006226988117 (Target Facebook Account 9)	Sent 2019-10-22 16:40:08
Maria Garcia	100012398678974 (Target Facebook Account 1)	Sent 2019-10-22 16:40:52

61. Based on my training, experience, and knowledge of this investigation, I believe that the account 100006226988117 referenced above belongs to TEARINIMAN. A review of the publicly viewable information for account 100006226988117 revealed the account holder’s screen name as “Nabura Teariniman”. According to the profile information, the account subscriber lives in Tarawa, Kiribati. A publicly available photo shows the individual depicted in the profile photo aboard an unidentified cargo container shipping vessel. Profile photographs posted to account 100006226988117 match the photograph of TEARINIMAN’s most recent U.S. Non-Immigrant Visa (“NIV”) application. TEARINIMAN’s NIV application lists Tarawa, Kiribati as his home and South Pacific Marine Services as his employer. Based on the matching profile picture photographs, the publicly viewable account information, and the message exchange

<sup>4</sup> Unless specifically designated otherwise, all times noted herein are in Coordinated Universal Time (“UTC”).

above, I believe that AHUMADA GARCES is currently using **TARGET FACEBOOK ACCOUNT 1** to communicate with TEARINIMAN using **TARGET FACEBOOK ACCOUNT 9** about narcotics smuggling.

62. In addition to the above message thread, **TARGET FACEBOOK ACCOUNT 1** was in communication with **TARGET FACEBOOK ACCOUNT 8**, screen name "Refua Kabuta", from October 10, 2019 until November 5, 2019. During that time period, the following messages were exchanged:

Author	Account	Sent
Maria Garcia	100012398678974 (Target Facebook Account 1)	Sent 2019-10-10 17:30:26
Refua Kabuta	100006226988117 (Target Facebook Account 8)	Sent 2019-10-22 05:09:10
Maria Garcia	100012398678974 (Target Facebook Account 1)	Sent 2019-10-22 15:55:57
Refua Kabuta	100006226988117 (Target Facebook Account 8)	Sent 2019-11-01 00:27:12
Refua Kabuta	100006226988117 (Target Facebook Account 8)	Sent 2019-11-01 00:29:38
Maria Garcia	100012398678974 (Target Facebook Account 1)	Sent 2019-11-05 05:28:05

63. Based on my training, experience, and knowledge of this investigation, I believe that account 100007507727611 referenced above belongs to KABUTA. A review of the publicly viewable information for account 100007507727611 revealed the account holder's screen name as "Refua Kabuta". According to the profile information, the account subscriber is from Eita, Kiribati and currently living in Tarawa, Kiribati. The account holder is friends with **TARGET FACEBOOK ACCOUNT 1** and **TARGET FACEBOOK ACCOUNT 2**. Profile photographs posted to account 100007507727611 match the photograph of KABUTA's past NIV application. Based on the matching profile picture photographs, the publicly viewable account information, and the message exchange above, I believe that AHUMADA GARCES is currently using **TARGET**

1 **FACEBOOK ACCOUNT 1** to communicate with KABUTA using **TARGET**  
 2 **FACEBOOK ACCOUNT 8**.

3 64. Accordingly, based on AHUMADA GARCES's ongoing communication  
 4 with TEARINIMAN and KABUTA, I believe AHUMADA GARCES is using **TARGET**  
 5 **FACEBOOK ACCOUNT 1** to recruit mariners and/or coordinate the transportation of  
 6 narcotics onboard cargo container shipping vessels.

7 65. Furthermore, according to the records provided by the PROVIDER in  
 8 response to Order MJ19-320, **TARGET FACEBOOK ACCOUNT 1** was in  
 9 communication with a total of 52 other accounts during the timeframe for which records  
 10 were provided. Two of the accounts were not able to be located through open source  
 11 searching. Of the 50 accounts **TARGET FACEBOOK ACCOUNT 1** was in contact  
 12 with that were able to be located, 49 of those accounts appear, based on publicly  
 13 viewable account information, to be used by men from the Republic of Kiribati, men  
 14 employed in the maritime industry, or both. One of the 50 accounts appeared to used by a  
 15 female from the Republic of Kiribati.

16 66. Based on my training, experience, knowledge of this investigation, and her  
 17 use of **TARGET FACEBOOK ACCOUNT 1** to communicate with TEARINIMAN and  
 18 KABUTA as described above, I believe that AHUMADA GARCES also uses **TARGET**  
 19 **FACEBOOK ACCOUNT 1** as a means to communicate with others employed in the  
 20 maritime industry, particularly Kiribati nationals, and to recruit them into her narcotics  
 21 smuggling organization.

22 **Target Facebook Account 2**

23 67. **TARGET FACEBOOK ACCOUNT 2** was registered on November 30,  
 24 2016, with registration name "Mariana Garces." The email "jacktariri@gmail.com" is  
 25 listed as the registered email address associated with the account.  
 26  
 27  
 28



68. The response identifies conversation threads between **TARGET FACEBOOK ACCOUNT 2** and other accounts, which includes identifying information for the account holders involved in the conversation and the date and time of messages sent in the conversation, but not the content of the conversation.

69. For example, **TARGET FACEBOOK ACCOUNT 2** was in communication with **TARGET FACEBOOK ACCOUNT 9**, screen name "Nabura Teariniman," referenced above, between October 8, 2017 and November 3, 2017. The following messages were exchanged:

Author	Account	Sent
Nabura Teariniman	100006226988117 (Target Facebook Account 9)	Sent 2017-10-08 23:16:23
Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-19 21:42:18
Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-19 21:42:57
Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-19 21:43:17
Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-19 21:43:29
Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-19 21:43:31
Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-19 21:43:45
Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-19 21:43:59
Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-19 21:44:04
Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-19 21:44:16
Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-19 21:44:19
Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-19 21:44:47
Nabura Teariniman	100006226988117 (Target Facebook Account 9)	Sent 2017-10-21 06:51:49

1	Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-21 15:51:34
2	Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-21 15:51:40
3	Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-21 15:51:50
4	Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-21 15:52:33
5	Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-21 15:52:47
6	Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-21 15:52:59
7	Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-21 15:53:04
8	Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-21 18:07:41
9	Mariana Garces	100014362298473 (Target Facebook Account 2)	Sent 2017-10-21 18:07:41
10	Nabura Teariniman	100006226988117 (Target Facebook Account 9)	Sent 2017-11-03 01:12:51
11	Nabura Teariniman	100006226988117 (Target Facebook Account 9)	Sent 2017-11-03 01:17:51
12	Nabura Teariniman	100006226988117 (Target Facebook Account 9)	Sent 2017-11-03 01:17:51
13	Nabura Teariniman	100006226988117 (Target Facebook Account 9)	Sent 2017-11-03 01:17:51
14	Nabura Teariniman	100006226988117 (Target Facebook Account 9)	Sent 2017-11-03 01:17:51

70. As discussed above, based on my training, experience, knowledge of this investigation, including my knowledge that AHUMADA GARCES uses **TARGET FACEBOOK ACCOUNT 1** to communicate with TEARINIMAN using **TARGET FACEBOOK ACCOUNT 9**, based on the foregoing message exchange I believe AHUMADA GARCES also uses **TARGET FACEBOOK ACCOUNT 2** to communicate with TEARINIMAN using **TARGET FACEBOOK ACCOUNT 9** to discuss narcotics smuggling.

71. In addition to the above message thread, **TARGET FACEBOOK ACCOUNT 2** was in communication with account 100011099495118, screen name "Tianuare Tairiri", from April 19, 2018 until September 10, 2019. During that time period, the following messages were exchanged:

Author	Account	Sent
Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-04-19 20:59:35

1	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-04-19 21:18:04
2	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-04-19 21:18:29
3	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-04-19 21:18:37
4	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-04-19 21:18:41
5	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:22:01
6	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:32:00
7	Tianuare Tairiri	100011099495118	2018-10-11 01:32:05
8	Tianuare Tairiri	100011099495118	2018-10-11 01:32:35
9	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:32:39
10	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:32:41
11	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:32:44
12	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:32:58
13	Tianuare Tairiri	100011099495118	2018-10-11 01:33:08
14	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:33:37
15	Tianuare Tairiri	100011099495118	2018-10-11 01:33:52
16	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:34:03
17	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:34:10
18	Tianuare Tairiri	100011099495118	2018-10-11 01:35:07
19	Tianuare Tairiri	100011099495118	2018-10-11 01:35:30
20	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:36:21
21	Tianuare Tairiri	100011099495118	2018-10-11 01:36:33
22	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:36:59
23	Tianuare Tairiri	100011099495118	2018-10-11 01:37:21
24	Tianuare Tairiri	100011099495118	2018-10-11 01:37:46
25	Mariana Garces	100014362298473	2018-10-11 01:38:06
26			
27			
28			

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1		(Target Facebook Account 2)	
2	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:38:20
3	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:38:22
4	Tianuare Tariri	100011099495118	2018-10-11 01:38:48
5	Tianuare Tariri	100011099495118	2018-10-11 01:39:03
6	Tianuare Tariri	100011099495118	2018-10-11 01:40:04
7	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:41:05
8	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:41:21
9	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:41:32
10	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:41:40
11	Tianuare Tariri	100011099495118	2018-10-11 01:42:25
12	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:43:10
13	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:43:25
14	Tianuare Tariri	100011099495118	2018-10-11 01:43:46
15	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:44:01
16	Tianuare Tariri	100011099495118	2018-10-11 01:44:34
17	Tianuare Tariri	100011099495118	2018-10-11 01:45:44
18	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:46:14
19	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:46:17
20	Tianuare Tariri	100011099495118	2018-10-11 01:46:19
21	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:46:33
22	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:46:44
23	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:47:03
24	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-11 01:47:09
25	Mariana Garces	100014362298473	2018-10-11 01:47:16
26			
27			
28			

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1		(Target Facebook Account 2)	
2	Tianuare Tariri	100011099495118	2018-10-11 01:47:20
3	Mariana Garces	100014362298473	2018-10-11 01:47:32
4		(Target Facebook Account 2)	
5	Tianuare Tariri	100011099495118	2018-10-11 01:47:36
6	Mariana Garces	100014362298473	2018-10-11 01:47:46
7		(Target Facebook Account 2)	
8	Tianuare Tariri	100011099495118	2018-10-11 01:47:58
9	Mariana Garces	100014362298473	2018-10-11 01:48:45
10		(Target Facebook Account 2)	
11	Tianuare Tariri	100011099495118	2018-10-11 01:53:01
12	Tianuare Tariri	100011099495118	2018-10-11 01:53:23
13	Mariana Garces	100014362298473	2018-10-11 01:53:30
14		(Target Facebook Account 2)	
15	Mariana Garces	100014362298473	2018-10-11 01:53:32
16		(Target Facebook Account 2)	
17	Mariana Garces	100014362298473	2018-10-11 01:53:36
18		(Target Facebook Account 2)	
19	Mariana Garces	100014362298473	2018-10-11 01:53:46
20		(Target Facebook Account 2)	
21	Tianuare Tariri	100011099495118	2018-10-11 01:53:53
22	Mariana Garces	100014362298473	2018-10-11 01:53:57
23		(Target Facebook Account 2)	
24	Mariana Garces	100014362298473	2018-10-11 01:54:15
25		(Target Facebook Account 2)	
26	Mariana Garces	100014362298473	2018-10-11 01:54:16
27		(Target Facebook Account 2)	
28	Mariana Garces	100014362298473	2018-10-11 01:54:16
29		(Target Facebook Account 2)	
30	Mariana Garces	100014362298473	2018-10-11 01:54:16
31		(Target Facebook Account 2)	
32	Mariana Garces	100014362298473	2018-10-11 01:54:16
33		(Target Facebook Account 2)	
34	Mariana Garces	100014362298473	2018-10-11 01:54:17
35		(Target Facebook Account 2)	
36	Mariana Garces	100014362298473	2018-10-11 01:54:17
37		(Target Facebook Account 2)	
38	Mariana Garces	100014362298473	2018-10-11 01:54:17
39		(Target Facebook Account 2)	
40	Tianuare Tariri	100011099495118	2018-10-11 01:54:28

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1	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-27 21:27:53
2	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-27 21:28:05
3	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-27 21:28:23
4	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-27 21:28:33
5	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-27 21:28:41
6	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-27 21:28:49
7	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-27 21:28:57
8	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-29 02:41:11
9	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-10-29 22:06:36
10	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-11-06 22:41:30
11	Tianuare Tariri	100011099495118	2018-11-06 22:42:49
12	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-11-06 22:43:14
13	Mariana Garces	100014362298473 (Target Facebook Account 2)	2018-11-06 22:43:52
14	Tianuare Tariri	100011099495118	2018-12-10 01:06:44
15	Mariana Garces	100014362298473 (Target Facebook Account 2)	2019-02-04 15:31:52
16	Tianuare Tariri	100011099495118	2019-05-06 03:23:20
17	Tianuare Tariri	100011099495118	2019-05-11 07:54:57
18	Tianuare Tariri	100011099495118	2019-05-11 07:55:23
19	Tianuare Tariri	100011099495118	2019-05-11 07:55:30
20	Mariana Garces	100014362298473 (Target Facebook Account 2)	2019-05-23 00:22:23
21	Tianuare Tariri	100011099495118	2019-05-31 01:45:00
22	Mariana Garces	100014362298473 (Target Facebook Account 2)	2019-09-08 16:54:39
23	Tianuare Tariri	100011099495118	2019-09-10 12:51:13
24	Mariana Garces	100014362298473 (Target Facebook Account 2)	2019-09-10 18:42:58
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1           72. According to information received from Western Union, AHUMADA  
2 GARCES sent ten wire transfers to YURANIS AHUMADA GARCES ("Y. AHUMADA  
3 GARCES") between August 27, 2016 and June 10, 2017. Eight of the transfers originated  
4 in Panama. One was sent from Limon, Costa Rica, and one was sent from Tavernes de la  
5 Valldinga, Spain. All ten wires were received in Colombia. According to additional  
6 records obtained from Western Union, on December 24, 2016, Y. AHUMADA GARCES  
7 sent two wire transfers from Colombia to Tarawa, Kiribati. Both wires originated as  
8 Colombian Pesos with a USD value of \$1,020.43 and were received in Kiribati as  
9 \$1,388.32 Australian Dollars (AUD). One of those wire transfers was sent to TARIRI  
10 TIANUARE ("TIANUARE"). TIANUARE has entered the U.S. on numerous occasions,  
11 and his travel patterns appear to be consistent with those of a professional mariner.  
12 TIANUARE was previously identified by law enforcement as one of the Kiribati  
13 mariners on the **TARGET FACEBOOK ACCOUNT 1** friend list.

14  
15           73. Based on my training, experience, and knowledge of this investigation,  
16 including information provided by the CHS discussed above, I believe AHUMADA  
17 GARCES uses Y. AHUMADA GARCES as a third party intermediary to send payment  
18 to mariners who smuggle narcotics on her behalf. I believe AHUMADA GARCES uses  
19 third party intermediaries such as Y. AHUMADA GARCES to create a layer of  
20 separation between her and the individuals involved in her narcotics smuggling  
21 conspiracy as a means of avoiding detection by law enforcement.

22  
23           74. Furthermore, according to the records provided by the PROVIDER in  
24 response to Order MJ19-320, **TARGET FACEBOOK ACCOUNT 2** was in  
25 communication with a total of 88 other accounts during the timeframe for which records  
26 were provided. Five of the accounts were not able to be located through open source  
27 searches. Of the 83 accounts **TARGET FACEBOOK ACCOUNT 2** was in contact  
28 with that were able to be located, 77 of those accounts appear, based on publicly

viewable account information, to be used by men from the Republic of Kiribati, men employed in the maritime industry, or both. One of the 77 accounts appeared to used by a female from the Republic of Kiribati, and two appear to be associated with Panamanian businesses. Based on my training, experience, knowledge of this investigation, and her use of **TARGET FACEBOOK ACCOUNT 2** to communicate with TEARINIMAN and TIANUARE as described above, I believe that AHUMADA GARCES also uses **TARGET FACEBOOK ACCOUNT 2** as a means to communicate with others employed in the maritime industry, particularly Kiribati nationals, and to recruit them into her narcotics smuggling organization.

**INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

75. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular Title 18, United States Code, Sections 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Facebook to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

76. As indicated in the Application and Order for Non Disclosure that accompany this Affidavit, the government requests, pursuant to the preclusion of notice provisions of Title 18, United States Code, Section 2705(b), that Facebook be ordered not to notify any person (including the subscriber or customer to which the materials relate) of the existence of this warrant for such period as the Court deems appropriate, not to exceed one year. The government submits that such an order is justified because notification of the existence of this Order would seriously jeopardize the ongoing investigation. Such a disclosure would give the subscriber an opportunity to destroy evidence, change patterns of behavior, notify confederates, or flee from prosecution.

1 Notifying our targets of the existence of this investigation will likely cause them to  
2 destroy evidence, flee the jurisdiction, or alter their methods, thus making it more  
3 difficult to dismantle the organization effectively. Notice also could put the CS, UC, and  
4 agents working with them in danger. For all the same reasons, I am requesting that the  
5 Court allow the government to delay notification of this warrant for the same period, not  
6 to exceed one year.  
7

8 77. It is further respectfully requested that this Court issue an order sealing all  
9 papers submitted in support of this application, including the application and search  
10 warrant, until further order of the Court, for a period not to exceed one year. I believe  
11 that sealing this document is necessary because the items and information to be searched  
12 and seized are relevant to an ongoing investigation. Premature disclosure of the contents  
13 of this Affidavit and related documents may have a significant and negative impact on the  
14 continuing investigation and may severely jeopardize its effectiveness.

15 78. Analyzing the data contained in the forensic copy may require special  
16 technical skills, equipment, and software. It could also be very time consuming.  
17 Searching by keywords, for example, can yield thousands of "hits," each of which must  
18 then be reviewed in context by the examiner to determine whether the data is within the  
19 scope of the warrant. Merely finding a relevant "hit" does not end the review process.  
20 Keywords used originally need to be modified continuously, based on interim results.  
21 Certain file formats, moreover, do not lend themselves to keyword searches, as keywords,  
22 search text, and many common email, database and spreadsheet applications do not store  
23 data as searchable text. The data may be saved, instead, in proprietary non-text format.  
24 And, as the volume of storage allotted by service providers increases, the time it takes to  
25 properly analyze recovered data increases, as well. Consistent with the foregoing,  
26 searching the recovered data for the information subject to seizure pursuant to this  
27 warrant may require a range of data analysis techniques and may take weeks or even  
28

1 months. All forensic analysis of the data will employ only those search protocols and  
2 methodologies reasonably designed to identify and seize the items identified in Section II  
3 of Attachment B to the warrant.

4 79. Based on my training and experience, and the training and experience of  
5 other agents with whom I have communicated, it is necessary to review and seize a  
6 variety of electronic communications, chat logs and documents, that identify any users of  
7 the subject account and messages sent or received in temporal proximity to incriminating  
8 messages that provide context to the incriminating communications.  
9

#### 10 CONCLUSION

11 80. Based on the forgoing, I respectfully request that the Court issue the  
12 proposed search warrant. This Court has jurisdiction to issue the requested warrant  
13 because it is "a court of competent jurisdiction" as defined by 18 U.S.C. § 2711. 18  
14 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is "a district court of the  
15 United States . . . that - has jurisdiction over the offense being investigated." 18 U.S.C. §  
16 2711(3)(A)(i). Pursuant to 18 U.S.C. § 2703(g), the government will execute the warrant  
17 by serving the warrant the PROVIDER. Because the warrant will be served on the  
18 PROVIDER, who will then compile the requested records and data, reasonable cause  
19 exists to permit the execution of the requested warrants at any time in the day or night.  
20 Accordingly, by this Affidavit and Warrant, I seek authority for the government to search  
21 all of the items specified in Section I, Attachment B to the Warrant, and specifically to  
22 seize all of the data, documents and records that are identified in Section II to Attachment  
23 B.  
24

25 81. I further request, pursuant to 18 U.S.C. § 3103a(b) and Federal Rule of  
26 Criminal Procedure 41(f)(3), that the Court authorize the officer executing the warrant to  
27 delay notice until 90 days after the collection authorized by the warrant has been  
28 completed. This delay is justified because there is reasonable cause to believe that



1 providing immediate notification of the warrant may have an adverse result, as defined in  
 2 18 U.S.C. § 2705. Providing immediate notice to the person using the SUBJECT  
 3 ACCOUNTS would seriously jeopardize the ongoing investigation, as such a disclosure  
 4 would give that person an opportunity to destroy evidence, change patterns of behavior,  
 5 notify confederates, and flee from prosecution. *See* 18 U.S.C. § 3103a(b)(1). There is  
 6 reasonable necessity for the use of the technique described above, for the reasons set  
 7 forth above. *See* 18 U.S.C. § 3103a(b)(2). Additionally, if necessary, I may request that  
 8 the Court, upon a showing of good cause, order a further delay of the time permitted to  
 9 serve notice, if necessary to protect the safety of any individual, avoid flight or  
 10 destruction of evidence, and ensure that the investigation is not jeopardized prior to its  
 11 completion.

12  
 13 82. I further request that the Court order that all papers in support of this  
 14 application, including the Affidavit and Search Warrant, be sealed until further order of  
 15 the Court. These documents discuss an ongoing criminal investigation that is neither  
 16 public nor known to all of the targets of the investigation. Accordingly, there is good  
 17 cause to seal these documents because their premature disclosure may seriously  
 18 jeopardize that investigation. This application is presented to the Court via by reliable  
 19 electronic means pursuant to Federal Rules of Criminal Procedure 4.1 and 41(d)(3).  
 20

21  
 22 

23 MATTHEW ZITO, Affiant  
 24 Special Agent, Federal Bureau of  
 Investigation

25 The above-named agent provided a sworn statement attesting to the truth of the  
 26 foregoing affidavit by telephone on 22nd day of April, 2020.

27  
 28   
 THE HONORABLE BRIAN A. TSUCHIDA  
 Chief United States Magistrate Judge

**ATTACHMENT A**

**Property to Be Searched**

This warrant applies to information associated with the following Facebook accounts:

- Account number 100012398678974 (“TARGET FACEBOOK ACCOUNT #1”), believed to be used by MARELVIS JACQUELIN AHUMADA GARCES (“AHUMADA GARCES”);
- Account number 100014362298473 (“TARGET FACEBOOK ACCOUNT #2”), believed to be used by AHUMADA GARCES;
- Account number 100007507727611 (“TARGET FACEBOOK ACCOUNT #8”), believed to be used by REFUA KABUTA; and
- Account number 100006226988117 (“TARGET FACEBOOK ACCOUNT #9”), believed to be used by NABURA TEARINIMAN (collectively referred to as the “SUBJECT ACCOUNTS”)

that is stored at a premises owned, maintained, controlled, or operated by Facebook, a social networking company headquartered in Menlo Park, California.

**ATTACHMENT B**

**Particular Things to be Seized**

**I. Information to be disclosed by Facebook**

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under Title 18, United States Code, Section 2703(f), Facebook is required to disclose the following information to the government for the user IDs listed in Attachment A (the "SUBJECT ACCOUNTS"):

**A. The following information about the customer or subscriber of the SUBJECT ACCOUNTS:**

- (a) All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
- (b) All activity logs for the SUBJECT ACCOUNTS and all other documents showing the user's posts and other Facebook activities;
- (c) All photos and videos in their original format, including EXIF information (metadata), uploaded by that user ID and all photos and videos in their original format, including EXIF information (metadata), uploaded by any user that have that user tagged in them;
- (d) All other records of communications and messages made or received by the user, including all private messages, chat history, calling history, and pending "Friend" requests;
- (e) All "check ins" and other location information;
- (f) All IP logs, including all records of the IP addresses that logged into the SUBJECT ACCOUNTS;

- 1 (g) All past and present lists of friends created by the SUBJECT ACCOUNTS;
- 2 (h) All records of Facebook searches performed by the SUBJECT
- 3 ACCOUNTS;
- 4 (i) The length of service (including start date);
- 5 (j) The means and source of payment for such service (including any credit
- 6 card or bank account number) and billing records;
- 7 (k) All records pertaining to communications between Facebook and any
- 8 person regarding the user or the user's Facebook account, including
- 9 contacts with support services and records of actions taken;
- 10 (l) Names (including subscriber names, Facebook user IDs, and screen
- 11 names);
- 12 (m) Addresses (including mailing addresses, residential addresses, business
- 13 addresses, and e-mail addresses);
- 14 (n) Local and long distance telephone connection records;
- 15 (o) Linked accounts; and
- 16 (p) Telephone or instrument numbers or identities (including MAC addresses).

17 B. All records and other information relating to the SUBJECT ACCOUNTS,  
18 including:

- 19 (a) Records of user activity for each connection activity for each connection
- 20 made to or from the SUBJECT ACCOUNTS, including log files;
- 21 messaging logs; the date, time, length, and method of connections; data
- 22 transfer volume; user names; and source and destination of Internet
- 23 Protocol addresses;
- 24 (b) Information about each communication sent or received by the SUBJECT
- 25 ACCOUNTS, including the date and time of the communication, the
- 26 method of the communication (such as source and destination email
- 27 addresses, IP addresses, and telephone numbers); and
- 28

- 1 (c) Records of any Facebook accounts that are linked to the SUBJECT  
2 ACCOUNTS by machine cookies (meaning all Facebook user IDs that  
3 logged into Facebook by the same machine or device as the SUBJECT  
4 ACCOUNTS).

5 **II. Information to be seized by the government**

6 All information described above in Section I that constituted evidence, fruits, or  
7 instrumentalities of violations of Title 21, United States Code, Sections 841(a)(1), 846  
8 (possession with intent to distribute and/or distribution of controlled substances and  
9 conspiracy to commit said offenses) 960 and 961 (importation of controlled substances  
10 and conspiracy), as well as all information pertinent to the identity of the user[s] of the  
11 SUBJECT ACCOUNTS and the location of said users including:

- 12 (a) any and all Wall Posts, private messages, status updates, chat history, friend  
13 requests, postings, photographs, or any other information, records, or other  
14 material or information that relates to drug trafficking, or activity related to  
15 or in furtherance of drug trafficking;  
16 (b) any and all IP logs, including all records of the IP addresses that logged  
17 into the account, and the dates and times such logins occurred, as well as  
18 any other connection information;  
19 (c) records relating to who created, used, or communicated with the user ID,  
20 including records about their identities and whereabouts;  
21 (d) financial records and information, including but not limited to money  
22 transfers or wires;  
23 (e) information identifying the names, location, or other contact information of  
24 people in contact with suspected drug traffickers;  
25 (f) Any content including e-mails, messages, texts, photographs (including  
26 metadata), videos (including metadata), visual images, documents,  
27 spreadsheets, address lists, contact lists or communications of any type  
28 which could be used to identify the user and or their location.



- 1 (g) Records relating to who created, used, or communicated with the user ID,  
2 including records about their identities and whereabouts;
- 3 (h) any information, records, or other material relevant to the whereabouts of  
4 the user of each SUBJECT ACCOUNT;
- 5 (i) All subscriber records associated with the SUBJECT ACCOUNTS,  
6 including name, address, local and long distance telephone connection  
7 records, or records of session times and durations, length of service  
8 (including start date) and types of service utilized, telephone or instrument  
9 number or other subscriber number or identity, including any temporarily  
10 assigned network address, and means and source of payment for such  
11 service including any credit card or bank account number;
- 12 (j) Any and all other log records, including IP address captures, associated  
13 with the SUBJECT ACCOUNTS; and
- 14 (k) Any records of communications between Facebook and any person about  
15 issues relating to the account, such as technical problems, billing inquiries,  
16 or complaints from other users about the SUBJECT ACCOUNT. This is to  
17 include records of contacts between the subscriber and the provider's  
18 support services, as well as records of any actions taken by the provider or  
19 subscriber as a result of the communications.
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**CERTIFICATE OF AUTHENTICITY OF DOMESTIC RECORDS PURSUANT  
TO FEDERAL RULES OF EVIDENCE 902(11) AND 902(13)**

I, \_\_\_\_\_, attest, under penalties of perjury by  
the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the  
information contained in this certification is true and correct. I am employed by  
Facebook, and my title is \_\_\_\_\_. I am qualified to  
authenticate the records attached hereto because I am familiar with how the records were  
created, managed, stored, and retrieved. I state that the records attached hereto are true  
duplicates of the original records in the custody of Facebook. The attached records  
consist of \_\_\_\_\_ [GENERALLY DESCRIBE RECORDS

(pages/CDs/megabytes)]. I further state that:

a. all records attached to this certificate were made at or near the time of the  
occurrence of the matter set forth by, or from information transmitted by, a person with  
knowledge of those matters, they were kept in the ordinary course of the regularly  
conducted business activity of Facebook, and they were made by Facebook as a regular  
practice; and

b. such records were generated by Facebook's electronic process or system  
that produces an accurate result, to wit:

1. the records were copied from electronic device(s), storage  
medium(s), or file(s) in the custody of Facebook in a manner to ensure that they are true  
duplicates of the original records; and

2. the process or system is regularly verified by Facebook, and at all  
times pertinent to the records certified here the process and system functioned properly  
and normally.

I further state that this certification is intended to satisfy Rules 902(11) and  
902(13) of the Federal Rules of Evidence.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

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